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11 *Attorneys for Defendant Ronald Craig Ilg*

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF WASHINGTON

14 UNITED STATES OF AMERICA,

15
16 Plaintiff,

17 vs.
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19 RONALD CRAIG ILG,

20 Defendant.
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Case No. 2:21-cr-00049-WFN

**DECLARATION OF ANDREW M.
WAGLEY IN SUPPORT OF
UNOPPOSED MOTION TO
CONTINUE AND SET INITIAL
PRETRIAL MOTIONS BRIEFING
SCHEDULE**

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25 I, Andrew M. Wagley, do hereby declare as follows:

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27 1. I am over the age of eighteen, competent to testify regarding the
28 matters stated herein, and make this Declaration based upon my own
29 personal knowledge.
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- 1 2. I am one of the attorneys of record for the Defendant, Ronald C. Ilg
2 (“Dr. Ilg”). I make this Declaration in Support of Defendant’s
3 Unopposed Motion to Continue and Set Initial Pretrial Motions
4 Briefing Schedule.
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- 6 3. As indicated in the accompanying Unopposed Motion, a continuance
7 is warranted based upon the complex nature of this matter and the
8 need for counsel to adequately prepare for trial. This is a complex
9 matter involving a multitude of discovery regarding the dark web,
10 cryptocurrency, and the forensic analysis of various electronic
11 devices allegedly associated with the Defendant and witnesses.
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- 13 4. To date, the United States had produced nine batches of discovery.
14 This discovery includes thousands of pages of documents, multiple
15 media and native files, various recorded witness interviews, months
16 of jail phone calls by the Defendant, and multiple cell phone
17 extractions. Based upon the volume of this discovery, it has not only
18 been produced via USAFx (the USA File Exchange online system),
19 but also multiple discs and two external hard drives. The
20 Government’s three most recent productions occurred within the past
21 week.
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- 1 5. Furthermore, it is my understanding that the Government intends to
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3 call multiple expert witnesses at the time of trial. These experts
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5 include the following areas of testimony: blockchain analysis,
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7 handwriting analysis, dark web background, and computer forensics.
- 8 6. On February 1, 2022, the Government filed a Superseding
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10 Indictment. (*See* ECF No. 80.) The Superseding Indictment adds
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12 six new charges against Dr. Ilg. (*See id.*) It contains the following
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14 Counts: Count 1—Threats in Interstate Commerce, contrary to 18
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16 U.S.C. § 875(c); Count 2—Cyberstalking, contrary to 18 U.S.C. §§
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18 2261A(2)(B), 2261(b)(5); Count 3—Attempted Kidnapping,
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20 contrary to 18 U.S.C. § 1201(a)(1), (d); Count 4—Threats in
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22 Interstate Commerce, contrary to 18 U.S.C. § 875(c); Count 5—
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24 Cyberstalking, contrary to 18 U.S.C. §§ 2261A(2)(B), 2261(b)(5);
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26 Count 6—Attempted Damage to a Protected Computer, contrary to
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28 18 U.S.C. §§ 1030(a)(5)(A), (b), (c)(4)(G)(ii); and Count 7—
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30 Tampering with a Witness, contrary to 18 U.S.C. § 1512(b)(2).
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- 32 7. As such, the Defendant is currently facing trial on seven felony
 charges. Two of these charges (Attempted Kidnapping and

1 Tampering with a Witness) contain statutory maximums of twenty
2 years imprisonment.
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5 8. Defense counsel has been diligently reviewing discovery, analyzing
6 various pretrial motions, and developing trial strategy. However,
7 more time is needed to finish analyzing discovery based upon the
8 volume and rolling production, obtain defense expert witnesses,
9 interview lay witnesses, and adequately prepare for trial against the
10 seven felony charges contained in the Superseding Indictment.
11 Defense counsel would not have a sufficient amount of time
12 reasonably necessary for effective preparation if a continuance is not
13 granted. Furthermore, complex aspects of this case involving the
14 dark web and cryptocurrency will likely present various novel
15 questions of law in relation to pretrial motions.
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18 9. Prior to filing this Motion, I have corresponded with Assistant
19 United States Attorney Richard Barker regarding this request via
20 both telephone and email. Mr. Barker indicated that the Government
21 is in agreement with this continuance request.
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24 10. Mr. Barker and I also discussed Defendant's initial Pretrial Motions.
25 These Pretrial Motions include various suppression issues and
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1 potentially a motion to dismiss. As these issues may be dispositive
2 of the case, Mr. Barker and I agreed that it makes sense to brief and
3 argue the issues at this juncture. As such, we respectfully ask the
4 Court to reserve the currently scheduled Final Pretrial Conference
5 (March 21, 2022 at 8:30 am) for a hearing pertaining to the parties'
6 initial Pretrial Motions. The parties also respectfully propose the
7 following briefing schedule:
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- 13 a. Initial Pretrial Motions Due: Friday, February 25, 2022.
- 14 b. Responses to Pretrial Motions Due: Friday, March 11, 2022.
- 15 c. Replies in Support of Pretrial Motions Due: Thursday, March
16 17, 2022.
- 17 d. Hearing Date: March 21, 2022 at 8:30 am.

- 21 11. The parties have agreed upon a new trial date in September 2022.
22 The parties have also agreed upon the continuance of pretrial
23 deadlines to correspond with this new trial date, along with the
24 briefing schedule and hearing date for the initial Pretrial Motions
25 mentioned *supra*.
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1 12. The Defendant, Dr. Ilg, is in support of this continuance request in
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3 order to prepare his case for trial. This Motion is accompanied by an
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5 executed Waiver of Speedy Trial.

6 13. This continuance request is brought in good faith and not for the
7
8 purposes of hindering or delaying this matter.

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10 I hereby declare the foregoing is true and correct under penalty of perjury
11 of the laws of the State of Washington and the United States.
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13 EXECUTED this 4th day of February, 2022 in Spokane, Washington.
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16 By: /s/ Andrew M. Wagley
17 Andrew M. Wagley
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CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of February, 2022, I electronically filed the forgoing document with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the attorneys of record in this matter.

EXECUTED in Spokane, Washington on February 4, 2022.

By: /s/ Jodi Dineen
Jodi Dineen, Paralegal